

Application No.: 10/630,642

Docket No.: JCLA8556D-R

REMARKS

Present Status of the Application

Currently claims 14-27 are pending.

Claims 22-27 are allowed, and claims 16-19 are objected to as being dependent on a rejected claim, but are allowable over the cited art.

The Office has continued to reject claims 14-15 and 20-21 under 35 U.S.C. 103(a) as being unpatentable over Applicants Admitted Prior Art (AAPA, Page 2 of the Specification and Figure 6) in view of Lebowitz (US 4,694,561, hereinafter "Lebowitz").

Applicants respectfully traverse the rejections addressed to claims 14-15 and 20-21 for at least the reasons set forth below. After carefully considering the remarks set forth in this Office Action and the cited references as well as having proposed new claim amendments, the Applicants respectfully submit that the presently pending claims are in condition for allowance. Reconsideration and withdrawal of the Examiner's rejection are requested.

Response to Objections of the Drawings

FIG. 6 is objected to for missing a designation of a legend such as – Prior Art – for illustrating what is old. Therefore, the corrected FIG. 6 is attached herein in the Appendix section. As a result, the objection to FIG. 6 should be withdrawn.

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Response to 35 USC 103 Rejection

The Office Action has rejected claims 14-15 and 20-21 under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Lebowitz (US 4,694,561, hereinafter "Lebowitz").

Applicants respectfully traverse the above rejections as set forth below.

Regarding claim 14, the following added claim limitation: "wherein without forming any vertical structures extending into the substrate in the form of trenches" would clearly be patentable over AAPA in view of Lebowitz.

The above added claim limitation in claim 14 is fully inherently supported in the disclosure of the instant application in FIGs. 1A-1D, FIGs. 2A-2E, FIGs. 3A-3F, FIGs. 4A-4G, and FIGs. 5A-5H. In other words, none of the above figures shows any "trenches" extending into the substrate.

At page 6 of the Office action, Item 4, it is recited that Lebowitz teaches of using vertical structures in the form of trench or opening. On the other hand, the amended claim 14 explicitly recite of not forming the trench / opening; therefore, claim 14 is clearly patentable over the cited arts.

Based upon the above traversals, claim 14 is clearly patentable over AAPA in view of Lebowitz and thus overcoming the 35 U.S.C. 103(a) rejections based on AAPA in view of Lebowitz. Pending the allowance of independent claim 14, dependent claims 15 and 20-21 should be allowed.

As a result, claims 14-15, and 20-21 should all be allowed.

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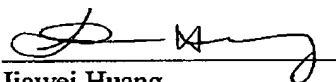
CONCLUSION

For at least the foregoing reasons, it is believed that the presently pending claims of the present application patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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Annotated Marked-up drawing

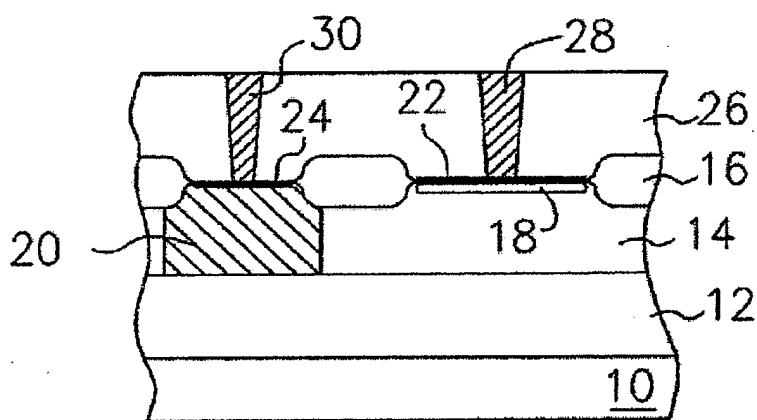


FIG. 6
(Prior Art)